



United States  
Department of  
Agriculture

Forest  
Service

Sawtooth National Forest  
Minidoka Ranger District

3650 South Overland Avenue  
Burley, ID 83318-3242  
208-678-0430  
Fax: 208-677-4878

File Code: 2810

Date: July 12, 2011

M100310025  
cc: Lynn  
**RECEIVED E-Mail**

**JUL 14 2011**

**Div. of Oil, Gas & Mining**

Bill Bowns  
Bonneville Quarries Inc.  
842 West 400 North  
West Bountiful, UT 84087

NOTICE OF NON-COMPLIANCE  
CERTIFIED MAIL RETURN RECEIPT REQUESTED  
7010 1060 0000 3847 1082

Dear Mr. Bowns;

On June 22, 2011, Lynn Kunzler from Utah Division of Oil, Gas and Mining accompanied Sawtooth Geologist Heidie Torrealday on an inspection of the Lynn Springs Quarry, Raft River Division of the Sawtooth National Forest in Box Elder County, Utah. This inspection was subsequent to the letter we received from you dated June 16, 2011 in response to our inspection of the quarry on May 4, 2011.

The inspectors made the following observations subsequent to the May 4, 2011 inspection;

- The quarry highwall has been flagged with yellow caution tape tied to broken sticks which has begun to deteriorate.
- Work in the main quarry is concentrated on the east side and excavation has created a more deeply exposed highwall.
- Two small excavations, approximately 50ft x 50 ft have been excavated on the BLM portion of the north quarry operation. An access road has been developed around one pit area and dump material has encroached northward. Several pinions have been dozed down to accommodate the road.
- Petroleum products and their empty containers are scattered throughout the area. It would appear no effort has been made to remedy this situation.
- A "caution high-wall" sign has been staked into a waste rock dump within the splitting area; nowhere near the highwall hazard that exists.
- The quarry access road is deeply rutted and has seen no repair or maintenance since the May 4, 2011 inspection and was addressed in the May 18, 2011 correspondence.

As operator of record you are not complying with the requirements of your approved 1999 Plan of Operations (POO). Based on the June 22, 2011 inspection, I am here by issuing this Notice of Non Compliance pursuant to 36 CFR 228.8(c) and (f) and 36 CFR 228.9:



1. ***Solid Wastes. Operator shall comply with applicable Federal and State standards for the disposal and treatment of solid wastes. All garbage, refuse, or waste, shall either be removed from National Forest lands or disposed of or treated so as to minimize its impact on the environment and the forest surface resources. All tailings, dumpage, deleterious materials, or substances and other waste produced by operations shall be deployed, arranged, disposed of or treated so as to minimize adverse impact upon the environment and forest surface resources.*** The continued occurrence of uncontained petroleum products, empty containers, waste oil, scattered refuse and aluminum cans constitutes a violation of 36 CFR 228 (c).
2. ***The Operator shall construct and maintain all roads so as to assure adequate drainage and to minimize or, where practicable, eliminate damage to soil, water and other resource values.*** The current condition of the quarry access road constitutes unnecessary and unreasonable damage to surface resources. The access road should be maintained in a way that allows for drainage that does not cause unnecessary erosion.
3. ***Maintenance during operations, public safety: During all operations operator shall maintain his structures, equipment and other facilities in a safe, neat and workmanlike manner. Hazardous sites or conditions resulting from operations shall be marked by signs, fenced or otherwise identified to protect the public in accordance with Federal and State laws and regulations.*** Measures to maintain a safe and neat quarry operation in which hazardous are identified to protect the public continue to be unacceptable.

All of the actions in the non-compliance items described above have caused unnecessary or unreasonable damage to surface resources. In order to bring items 1-3 into compliance with your 1993 POO or the Forest Service Mining Regulations (36 CFR 228A), you must adhere to the following corrective actions:

- Fuel and petroleum products must be stored in an approved area in order to prevent unnecessary spills. Petroleum waste, spent fuel oil and hydraulic fuel, and refuse, including soil and rock that have been affected by spilled fuel, must be removed and transported to an appropriate waste facility located off site.
- Repair and maintenance to the road that serves as the main access road to the quarry operation. Water bars should be constructed where necessary to minimize the erosion and damage currently observed. Much of the poor condition of the road surface is due to heavy equipment traveling during overly wet periods.
- You must implement methods to protect the public from the hazards that exist within the Lynn Springs quarry operation that include erecting a more substantial protective fence above the highwall that prevents accidental entry into the North Quarry pit area. This should include appropriately placed signs that identify hazards throughout the quarry.

In order to prevent additional resource disturbance and the need for further action on our part, we need your cooperation to remedy these conditions within 30 days of the date of this correspondence.

Enclosed is a map that compares gps survey data collected in 2001 to aerial disturbance in 2009. You will see from the map that all areas of the quarry operation have expanded outside of the

authorized 1999 Plan of Operations. A new gps survey of all operation areas was completed on June 28, 2011 as an additional measure in order to document expansion of the quarry onto BLM lands. Larry Garahana from the Salt Lake City BLM office will be accompanying Heidie Torrealday, Sawtooth Geologist on a field inspection of the quarry operation to review the quarry and specifically to address the expansion of operations onto BLM.

If you have questions regarding the content of this letter or need assistance in addressing these issues, please feel free to contact Heidie Torrealday at 208.731.0180.

Sincerely,

*/s/ Scott C. Nannenga*  
SCOTT C. NANNENGA  
Minidoka District Ranger

cc: Lynn Kunzler  
Utah Division of Oil  
Gas and Mining  
Larry Garahana  
BLM